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For the salary of the secretary, \$5,000.

For the general work of the board, including traveling expenses, a sum not exceeding \$20,000.

For salaries and expenses in the inspection of milk, food, and drugs, a sum not exceeding \$14,500.

For expenses in the examination of sewer outlets, a sum not exceeding \$14,000.

For expenses in the production and distribution of antitoxin and vaccine lymph, a sum not exceeding \$20,000.

For printing and binding the annual report, a sum not exceeding \$5,000.

For the services of engineers, chemists, biologists, and other assistants, and for other expenses in protecting the purity of inland waters, a sum not exceeding \$36,000.

For salaries of the inspectors of health, a sum not exceeding \$25,000.

For expenses under the act establishing health districts, a sum not exceeding \$6,800.

For expenses in connection with the watershed of the Charles River Basin in the city of Boston, a sum not exceeding \$1,800.

For the compensation and expenses of the State examiners of plumbers, a sum not exceeding \$5,100.

For expenses in carrying out the provisions of the act relative to the prevention of ophthalmia neonatorum, a sum not exceeding \$2,500.

SEC. 2. This act shall take effect upon its passage.

#### PREVENTION OF MALARIA—DRAINAGE OF LAND IN VALLEY OF NEPONSET RIVER— AN ACT APPROVED JULY 11, 1911.

SECTION 1. The State board of health is hereby authorized and directed to expend a sum not exceeding \$150,000, exclusive of damages to land, easements and rights in land, in constructing necessary drains, trenches, and ditches, and in dredging and deepening the channel of the Neponset River between the place where the river is crossed by Washington Street in Walpole and tidewater, and within said limits to make changes and alterations in any bridge, dam, or other structure over, under, or across said waters, and to do any other work, except as hereinafter stated, which will tend to restore the lands along said river to their original condition, and to abate malaria and other peril to the public health.

The work herein provided for shall be done substantially in accordance with the plan set forth in the report made by the State board of health to the legislature at the session of 1897; and it shall extend over three years, commencing in the year 1911, and one-third of said work, as nearly as may be, shall be done each year.

SEC. 2. If any person or corporation shall obtain an additional water power or water supply in consequence of the doing of the work herein contemplated, such person or corporation shall not gain any prescriptive right to the use of such additional water power or water supply, or be entitled to any compensation therefor if such additional water power or water supply shall hereafter be taken for public use; and no person or corporation, in the event of any subsequent taking of any water power or water supply, or the removal of any dam or flashboards, or the reducing or lowering of the height of any dam, or changing the dimensions thereof, within the limits aforesaid, shall be entitled to any compensation for such additional water power or water supply; and no person or corporation shall be allowed hereafter compensation for any increased value to his or its land or property, in case the said land or other property shall be taken for public use, if the increased value was derived directly from the work done under this act.

SEC. 3. The said board may take in the name of the Commonwealth, or acquire by purchase or otherwise, and hold all lands, easements, and rights in land that may be necessary to effect the object intended by this act. Within 30 days after the taking of any land, easements, or rights in land the board shall cause to be recorded in the registry of deeds for the county of Norfolk a certificate thereof sufficiently accurate for identification; and thereupon title to the same shall vest in the Commonwealth.

SEC. 4. The said board shall make return to the treasurer of the Commonwealth and to the assessors of the towns hereinafter named of the number of acres of land benefited by the work done or changes made under this act. The return to the assessors shall also contain the names of the owners or occupants of the land benefited, so far as they can be ascertained, and the number of acres belonging to or occupied by said owners or occupants; but the return to the assessors of any town need only contain the number of acres and the names of the owners or occupants of said land in that town.

SEC. 5. The total expense incurred under this act shall, in the first instance, be paid by the Commonwealth; but after the completion of the work the towns and the city hereinafter named shall repay to the Commonwealth one half of said expense.

SEC. 6. The supreme judicial court sitting in equity shall, upon application of the said board and after such notice as it may order, appoint three commissioners, who shall, after due notice and hearing and in such manner as they shall deem just and equitable, determine what proportion of one-half of the total expense incurred under this act shall be paid by the towns of Sharon, Stoughton, Walpole, Norwood, Canton, Westwood, Dedham, Hyde Park, and Milton, and the city of Boston, respectively, and shall return their award into said court, and when the same has been accepted by the court it shall be a final adjudication of all matters referred to said commissioners, and shall be binding on all parties; and in like manner said commissioners shall determine and file their award as to the payment of the cost of maintenance of the channels of the Neponset River and the works or structures taken or otherwise acquired in connection therewith and determine the proportion in which said towns and city, or any of them, shall bear the same. The sum thus ascertained to be due from each of said towns and from said city to the Commonwealth shall be paid in 10 annual installments, and each installment shall annually be added to and collected as a part of the State tax.

SEC. 7. The assessors of each of said towns and of said city shall annually divide and apportion the sum which their respective municipalities are required to pay upon the land benefited as hereinbefore provided, during each of the said 10 years, in proportion to the benefit received, but no apportionment shall be made that exceeds the special benefit received by the estate assessed; and the said apportionment shall be added to the tax assessed upon said lands, and shall constitute a lien thereon to the same extent and for the same time that taxes assessed are now a lien upon land assessed; and the payment thereof shall be enforced in the manner provided by law for the collection of ordinary taxes. Any land the owners or occupants of which appear by the board's return to be unknown, if the owners or occupants are unknown to the assessors in the town or city where said land is situated, shall be taxed to unknown owners, and shall be a valid tax for the nonpayment of which the land may be sold in the same manner that land may now be sold for the nonpayment of taxes. Any person or corporation assessed for taxes under this act may apply for an abatement thereof, and shall have the rights and be subject to the liabilities pertaining to persons and corporations taxed under the laws of the Commonwealth.

SEC. 8. The Commonwealth shall be liable for all damages to property sustained by any person or corporation by the taking of any land, easements or rights in land under authority hereof, and any such person or corporation failing to agree with said board as to the amount of damages sustained may have the same determined in the manner established by law in the case of land taken for the laying out of highways: *Provided*, That application therefor is made within two years after the taking or the doing of any other act herein authorized. When a certificate is filed as herein provided the said board shall, within 10 days thereafter, notify by mail any owners or occupants so far as they are known to said board of property taken or affected by the act of said board, and shall keep a record of such notification, which record shall be conclusive of the fact. The certificate herein mentioned shall be signed by the chairman of the State board of health.

SEC. 9. To meet that part of the expenses incurred under this act which is not hereinbefore provided for, the treasurer and receiver general is hereby authorized, with the approval of the governor and council, to issue scrip or certificates of indebtedness to an amount not exceeding \$75,000, as an addition to the amounts already authorized under the provisions of chapter 407 of the acts of 1893 and acts in addition thereto and in amendment thereof, and as a part of the metropolitan parks loan, and subject to the provisions thereof. Such scrip or certificates of indebtedness shall be issued as registered bonds, payable in not more than 20 years from the dates of issue, and shall bear interest at a rate not exceeding 4 per cent per annum, payable semiannually on the 1st days of January and July of each year.

SEC. 10. The sum of \$5,000 is hereby appropriated for damages arising under this act, caused by the taking of land, easements, or rights in lands.

SEC. 11. Nothing herein contained shall be construed to affect the provisions of chapter 541 of the acts of 1902, or the provisions of chapter 360 of the acts of 1906.

SEC. 12. This act shall take effect upon its passage.

**APPROPRIATIONS FOR SALARIES AND EXPENSES OF STATE DEPARTMENT OF HEALTH FOR FISCAL YEAR ENDING NOVEMBER 30, 1912—AN ACT APPROVED JANUARY 31, 1912.**

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for salaries and expenses of the State board of health, for the fiscal year ending on the 30th day of November, 1912, to wit:

For the salary of the secretary, \$5,000.